

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

SCOTT CRESPO, Plaintiff, v. KEVIN SAUL, Defendant.	No. 10-CV-05378 Judge: Hon. George M. Marovich
SCOTT CRESPO, Plaintiff, v. BRANDON ZAUCHA, et al, Defendant.	No. 10-CV-05536
SCOTT CRESPO, Plaintiff, v. ANDY SETH, et al., Defendant.	No. 10-CV-06543

**JOINT AND AGREED MOTION TO SET A BRIEFING SCHEDULE FOR
DEFENDANTS' RULE 12(B)(6) MOTION**

The parties, by and through their attorneys Zwillingen Genetski LLP, Mark T. Lavery and Christopher V. Langone hereby move this Court pursuant to Federal Rule of Civil Procedure 6(b), to extend the time in which Defendant Saul has to answer or otherwise plead in response to Plaintiff's Complaint in the above-captioned matter and to set a briefing schedule on Defendants'

anticipated joint motion pursuant to Federal Rule of Civil Procedure 12(b)(6). In support of their Motion, the parties state as follows:

1. On January 5, 2011, this Court issued an order granting Defendants' motion to reassign the three above-captioned cases to its docket. In that order, this Court also required that Plaintiff amend the complaint in 10-CV-6543 to correct a jurisdictional defect within 14 days of the case being reassigned to this Court's calendar.
2. Pursuant to this Court's order requiring Plaintiff to amend the complaint in 10-CV-6543, this Court's and Judge Leinenweber's previous orders granting defendants' motions to extend the time to answer or otherwise plead, and operation of the Federal Rules of Civil Procedure, defendants now have varied deadlines by which they are required to respond to the complaints. Specifically, defendant Saul must file his responsive pleading on or before January 11, 2011; the defendants in 10-CV-6543 would have 21 days after the filing of the required amended complaint; and the defendants in 10-CV-5536 presently must file their responsive pleadings on or before January 31, 2011.
3. On January 6, 2011, the Executive Committee reassigned 10-CV-5536 and 10-CV-6543 to this Court's calendar.
4. In order to effectuate this Court's desire, as stated in the order granting reassignment, to have unified briefing on dispositive motions, the Parties propose the following schedule:
 - Plaintiff will file any amended complaints in the three cases by **January 20, 2011**, as required by this Court's January 5, 2011 order.
 - On **January 31, 2011**, Defendants will file a joint motion pursuant to FRCP 12(b)(6).
 - On **February 21, 2011**, Plaintiff will respond to the motion.
 - On **March 7, 2011**, Defendants will reply.

WHEREFORE, the parties respectfully request that this Court enter an order setting the above described schedule.

Dated: January 6, 2011

Respectfully submitted,

/s Bart Huff

On behalf of Defendants
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